

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

|                                    |   |                     |
|------------------------------------|---|---------------------|
| -----                              | X |                     |
|                                    | : |                     |
| TODD KREISLER,                     | : |                     |
|                                    | : |                     |
| Plaintiff,                         | : |                     |
|                                    | : | 22-CV-4503 (VSB)    |
| -against-                          | : |                     |
|                                    | : | <b><u>ORDER</u></b> |
| 227 EAST 56TH COMPANY LLC, et al., | : |                     |
|                                    | : |                     |
| Defendants.                        | : |                     |
|                                    | : |                     |
| -----                              | X |                     |

VERNON S. BRODERICK, United States District Judge:

On June 1, 2022, Plaintiff filed this action against Defendants 227 East 56th Company LLC and 56th Street Restaurant LLC. (Doc. 1.) Plaintiff obtained summonses on June 3, 2022. (Docs. 7, 8.) As of September 6, 2022, Plaintiff had not filed any affidavit of service or taken any other action to prosecute this case, so I ordered Plaintiff to submit a letter demonstrating good cause as to why this case should not be dismissed pursuant to Federal Rule of Civil Procedure 4(m). (Doc. 9.) On September 7, 2022, Plaintiff filed affidavits of service. (Docs. 10, 11.) The deadline for Defendants to respond to Plaintiff's complaint was July 7, 2022. (*See* Docs. 10, 11.) Defendants filed a notice of appearance on September 8, 2022. (Doc. 12.)

To date, Defendants have not responded to the complaint. Plaintiff, however, has taken no action to prosecute this case. Accordingly, if Plaintiff intends to seek a default judgment, he is directed to do so in accordance with Rule 4(H) of my Individual Rules and Practices in Civil Cases by no later than September 19, 2022. If Plaintiff fails to do so or otherwise demonstrate that he intends to prosecute this litigation, I may dismiss this case for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

SO ORDERED.

Dated: September 12, 2022  
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick", written over a horizontal line.

VERNON S. BRODERICK  
United States District Judge